

EXHIBIT H

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EVAN HENDRICKS
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
RICHARD CHAKEJIAN,
Plaintiff,
Vs. Civil Action No.: 07-2211
EQUIFAX INFORMATION SERVICES, LLC,
Defendant,

DEPOSITION OF EVAN HENDRICKS
Washington, D.C.
Wednesday, September 23, 2009

Job No.: 24924
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Reported By : Kathy Savich, RPR

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7 Q. Are you aware of any case in
8 which a jury has found that Equifax or any
9 other consumer reporting agency violated the
10 Fair Credit Reporting Act as it relates to
11 misleading consumers in the contents of its
12 reinvestigations letter?

13 MR. GORSKI: Objection.

14 THE WITNESS: No.

15 BY MR. PERLING:

16 Q. Are you aware of any judge
17 finding that? I asked you about a jury. Are
18 you aware of any judge finding that Equifax
19 violates the Fair Credit Reporting Act in
20 misleading consumers --

21 MR. GORSKI: Objection.

22 BY MR. PERLING:

23 Q. -- in its letters?

24 A. No.

25 Q. Are you aware of any opinion or

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2 decision by the FTC that Equifax or any other
3 consumer reporting agency violates the Fair
4 Credit Reporting Act as it relates to the
5 contents of a reinvestigation letter?

6 A. No.

7 Q. Are you aware of any case in
8 which a jury found that Equifax or any other
9 consumer reporting agency's description of
10 its reinvestigation procedure was
11 insufficient under the Fair Credit Reporting
12 Act?

13 MR. GORSKI: Objection.

14 BY MR. PERLING:

15 Q. You can still answer.

16 A. This is -- no.

17 Q. Are you aware of any judge
18 having ever made a finding that Equifax or
19 some other consumer reporting agency's
20 description of its reinvestigation procedure
21 was insufficient under the Fair Credit
22 Reporting Act?

23 MR. GORSKI: Objection.

24 THE WITNESS: No, not that I
25 recall.

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3 Q. Are you aware of any opinion or
4 decision by the FTC that Equifax or any other
5 consumer reporting agency's description of
6 its reinvestigation procedure was
7 insufficient under the Fair Credit Reporting
8 Act?

9 A. No, not that I recall.

10 Q. Are you aware of the FTC ever
11 addressing whether any letter from Equifax
12 violated the Fair Credit Reporting Act?

13 A. No, not that I recall.
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18 Q. Are you aware of any studies
19 that relate to your conclusions?

20 A. No. This is pretty much a
21 matter of first impression.
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3 BY MR. PERLING:

4 Q. You're not aware of any judge
5 or jury instructing Equifax that it's
6 misleading consumers, are you?

7 MR. GORSKI: Object. You mean
8 like in -- in what context?

9 MR. PERLING: In any context,
10 sir.

11 THE WITNESS: Judge and jury? I
12 mean --

13 BY MR. PERLING:

14 Q. Judge or a jury.

15 A. Well --

16 MR. GORSKI: Objection. It's
17 vague and ambiguous.

18 THE WITNESS: -- I would say
19 that in all the cases that have gone
20 to trial, they have said that Equifax
21 has misled consumers in some way or
22 another.

23 BY MR. PERLING:

24 Q. Let's -- let's specify the
25 question.

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2 A. Yes, please.

3 Q. With the -- as you say it, the
4 contents of the letter --

5 A. -- describing the process --

6 Q. -- misleading over the process,
7 you're not aware of any judge or jury
8 instructing Equifax that the letter it sends
9 to consumer -- consumers misleads them as to
10 the process?

11 A. Right. No. Because I think
12 this is a case of first impression.
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Q. But there has been no
determination by anybody that one letter is
an industry standard and the other is not,
correct?

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A. Right. That's a case of first
impression.

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